

Art Unit: 2169

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2169.

Response to Arguments

1. Applicant's arguments filed 7/1 have been fully considered 7/16/2008 but they are not persuasive.

2. Applicant's arguments filed 7/16/2008 against all amended claims have been fully considered but they are not persuasive.

(A) In re page 13, applicant is arguing in light of the specification, rather than scope and language used in the claims.

3. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., flag) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Art Unit: 2169

{B} In re page 15, applicant states, "As such, even assuming the Examiner's assertions regarding Okada and Yamane are correct, which Applicants do not admit, the combination of Okada and Yamane still fail to disclose, teach or suggest "at least one second navigation unit referencing more than one third navigation unit and including an indicator for indicating that the corresponding at least one second navigation unit is provided for the multiple reproduction paths," as recited in independent claim 17. As previously mentioned, claims 26, 34, 42, 50 and 58 recite somewhat similar features."

In response the examiner fails to agree in light of Figs. 46, 47, 49, 50, 76 and/or 80,

o Fig. 49, shows at least one second navigation unit referencing more than one third navigation unit and including an indicator for indicating that the corresponding at least one second navigation unit is provided for the multiple reproduction paths," see pointers from each header to itself as well as two other streams.

The examiner suggests seeking more detailed limitations that differ to be distinguishable.

Art Unit: 2169

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 17, 19, 21, 23-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The claims have been amended to recite, "computer", there is no support in the original specification for this limitation.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2169

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claim 17, 19, 21, 23-24, 26, 28-29, 31-32, 34, 36-37, 39-40, 42, 44-45, 47-48, 50, 52-53, 55-56, 58-60, 62-63, 65-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Okada (US 2002/0046328)/WO 00/42515} in view of Yamane et al. (EP 0 847 198 B1).

Regarding claims 17, 19, Okada meets the limitations associated with a record medium, recording & reproduction apparatus and methods having a data structure for managing reproduction of at least video data representing multiple reproduction paths,

A RECORD MEDIUM, comprising:

- a data area storing a transport stream of at least video data (Fig. 4, "TRANSPORT Packet of MPEG", "188 bytes", therefore an MPEG transport stream to be recorded to Fig. 5 DVD and Fig. 6, recording in logical zones, transferred to the DVD media thru a 1394 bus, "Isochronous Data Transfer", mode);
- the transport stream being divided transport packets (MPEG TRANSPORT STREAM IS IN PACKETS & SEE Fig. 4, "packets" or blocks, dummy packet, IEEE 1394);
- wherein each of the packets can be associated with one of the multiple paths (streams of data in packets, Fig. 14, multiple channels, recording packets); and
- the transport packets of each path being stored in separate physical domains of the data area from one another (such as shown in Fig. 37, zones 1, 6, 2 zone per/channel, channels 1, 3 and 4).

Art Unit: 2169

Okada discloses a navigation data (Figs. 41-44), including a map {by zone Fig. 37}, for each path (represented by channels 1, 2, 3, 4 etc.....) and position information (Fig. 42, has at least the leading address for each zone, while Fig. 37, shows zone recording for each channel), for the video of each path, wherein the navigation area includes navigation data item/items, the data items providing NAV. Info., for reproducing each path, having a list of at least the navigation data item/items (various data lists of Figs. 41-44 etc....., necessary to locate the digitally recorded video etc....., for reproduction), wherein in accord to Fig. 37 each path can be represented by a zone number or not, also the path is also defined by Fig. 44, stream Ids, and/or zones numbers and addresses, in accord to Fig. 42, leader addresses, wherein the Path defined by stream number Ids Fig. 41, or even zone numbers per/channel Fig. 37, represents a digital channel being a sub-channel of an RF channel received to the recording system (see SET TOP BOX, receiving a multi-channel stream (pages 1-2, MPEG 2, "programs of several hundred channels", "SET TOP BOX", Fig. 12)).

Art Unit: 2169

Further regarding claims 17, 19 Okada fails to disclose on the medium, further comprising:

- o wherein in a navigation area having navigation units:
 - o a first unit including one or more second units, controlling a reproduction order,
 - o at least one second referencing more than one third unit/units,
 - o wherein each third unit is a separate file of video data in the data area to reproduce.

Yamane teaches a data structure as recited:

- o wherein in a navigation area having navigation units (VOB-B, VOB-C, VOB-D):
 - o a first unit (header and packet/packets, navigation information pointing or linking an order of reproduction, VOB-B - A-ILVUb1) including one or more second units, controlling a reproduction order (see Pb1b, Pb1C, Pb1D, three),
 - o at least one second (A-ILVUb2, has a header) referencing more than one third unit/units (Pb2b, Pb2c, Pb2D);

0 a navigation area storing a first navigation unit, the first navigation unit including one or more second navigation units and controlling a reproduction order of the second navigation units, at least one second navigation unit referencing more than one third navigation unit and including an indicator for indicating that the corresponding at least one second navigation unit is provided for the multiple reproduction paths, each third navigation unit associated with a different one of the multiple reproduction paths and identifying ~~indicating~~ a separate file of video data in the data area to reproduce.

(see Figs. 46, 47, 49, 50, 76, 80)

- o wherein each third unit is a separate file of video data in the data area to reproduce (VOB B, C, D are separate files or Video Objects).

Art Unit: 2169

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Okada by providing navigation data generated for the multiple paths on to the medium and the recited data structures associated with the navigation information allowing traversal of different video streams recorded with the media by having the navigation information recorded thereto.

Providing the navigation information allows for transport of the media to other players, such as the conventional Table of Contents, which allows for players to play the medium only with the medium by having the navigation data for the recorded information on the medium, as taught by Yamane.

Claims 21, 23-24, 26, 28-29, 31-32, 34, 36-37, 39-40, 44-45, 47-48, 50, 52-53, 55-56, 58-60, 62-63 are deemed analyzed and discussed with respect to the last detailed action incorporated by reference, wherein the claims are related as being method and apparatus for recording to the medium, having the recited data structure and method and apparatus to reproduce the medium, deemed met and obvious in view of the art as applied.

Claim 42 is analyzed and discussed with respect to the claims above, but, further recites **a driver** for driving an optical recording device, controller controlling the driver (Fig. 12, shows a driver circuit 63, which is controlled by the "MPU For Disk Access Control, thru the Bus 65), deemed to read on the claimed driver limitation, for driving the optical device in recording as well as reproduction.

Regarding new claims 65-76, wherein the combination further provides for the data structures as recited including:

- o third Nav units being separate files of video data have one to one correspondence (Fig. 46, 47, 49, 50, 76 and/or 80);
- o position information (see addresses Fig. 20, of Nav Pack).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS**

Art Unit: 2169

ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record Vincent F. Boccio whose telephone number is (571) 272-7373.

The examiner can normally be reached on between Monday-Thursday between (7:30 AM to 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali, can be reached on (571) 272-4105.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/810,721

Page 10

Art Unit: 2169

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vincent F. Boccio/
Primary Examiner, Art Unit 2169